



DAC  
1.28C

Pat. No.: 7270956  
Issue Date: 9/18/2007  
Appl. No.: 10/648,945  
First inventor: Guillermo C. Bazan et al  
Filing date: 8/26/2003  
Title: Methods and compositions for detection and analysis of polynucleotides using  
Customer No.: 30869

Commissioner for Patents  
PO Box 1450  
Alexandria VA 22313-1450

**REQUEST UNDER 37 CFR 1.28(c) TO EXCUSE ERROR IN SMALL ENTITY STATUS**

Sir:

In the above-identified application, the status of the applicant as a small entity was established in good faith and the fees as a small entity were paid in good faith. It has been recently discovered that such status as a small entity was established in error. In accordance with 37 CFR 1.28(c), Applicant requests that the error be excused.

Date	Description	Small Entity Fee Paid	Large Entity Fee	Deficiency
3/18/2011	Year 4 Maintenance	\$490	\$1130	\$640
	<b>TOTAL</b>	<b>\$490</b>	<b>\$1130</b>	<b>\$640</b>

Payment of the \$640 deficiency owed is filed herewith.

Respectfully submitted,

/ **Thomas J. McFarlane** /  
Thomas J. McFarlane, Reg. No 39,299

LUMEN PATENT FIRM  
350 Cambridge Ave., Suite 100  
Palo Alto, CA 94306  
(650) 424-0100

10/17/2011 DALLEN 00000012 7270956

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640.00 OP



## TRANSMITTAL FORM

Application Number	<b>10/648945</b>
Filing Date	<b>8/26/2003</b>
First Named Inventor	
Art Unit	
Examiner Name	
LUMEN Docket Number	<b>USB-100/US</b>

### ENCLOSURES (Check all that apply)

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Small Entity Claimed                    | <input type="checkbox"/> Reply to Missing Parts/<br>Incomplete Application           | <input type="checkbox"/> Certified Copy of Priority Doc(s)                         |
| <input checked="" type="checkbox"/> Fee Attached                 | <input type="checkbox"/> Reply to Missing Parts<br>under 37 CFR 1.52 or 1.53         | <input type="checkbox"/> Terminal Disclaimer(s)<br>No. of Disclaimers _____        |
| <input type="checkbox"/> Reply / Amendment<br>No. of Pages _____ | <input type="checkbox"/> Declaration No. of Pages _____                              | <input type="checkbox"/> Request for Refund  |
| <input type="checkbox"/> After Final                             | <input type="checkbox"/> Recordation Cover Sheet &<br>Assignment No. of Pages _____  | <input type="checkbox"/> After Allowance Comm. to TC                               |
| <input type="checkbox"/> Affidavit(s)/Declaration(s)             | <input type="checkbox"/> Power of Attorney, Revocation<br>Change of Corresp. Address | <input type="checkbox"/> Appeal Comm. to TC<br>(Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> Information Disclosure Statement        | <input type="checkbox"/> Statement(s) under 3.73(b)                                  | <input type="checkbox"/> Appeal Comm. to Board of<br>Appeals and Interferences     |
| <input type="checkbox"/> Copies of Cited References              | <input type="checkbox"/> Copy of Assignment(s)                                       | <input type="checkbox"/> Petition to Revive  |
| <input type="checkbox"/> Drawings No. of Sheets _____            | <input type="checkbox"/> Power(s) of Attorney  | <input type="checkbox"/> Certificate of Correction                                 |

- ☒ Other: REQUEST UNDER 37 CFR 1.28(c) TO EXCUSE ERROR IN SMALL ENTITY STATUS  
Fee Deficiency

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

FIRM NAME	<b>LUMEN PATENT FIRM</b>		
SIGNATURE	<b>/ Thomas J. McFarlane / Reg.No. 39,299</b>		
PRINTED NAME	<b>Thomas J. McFarlane</b>		
DATE	<b>10/6/11</b>	REGISTRATION NUMBER	<b>39,299</b>

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below:

SIGNATURE	<b>/ Robert Lodenkamper / Reg.No. 55,399</b>
PRINTED NAME	<b>Robert Lodenkamper</b>
DATE	<b>10/6/11</b>